

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH P. MOFFITT,	:	Civil No. 3:19-CV-00899
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
TUNKHANNOCK AREA SCHOOL	:	
DISTRICT, <i>et al.</i> ,	:	
	:	
Defendant.	:	Judge Jennifer P. Wilson

**ORDER**

**AND NOW**, on this 15th day of April, 2020, for the reasons stated in the accompanying memorandum, **IT IS ORDERED** as follows:

1. Defendants' motion to dismiss (Doc. 7) is **GRANTED**.
2. Plaintiff's claims against Defendants Tunkhannock Area School District and Tunkhannock Area School District Board of School Directors are **DISMISSED WITH PREJUDICE**.
3. Defendants Tunkhannock Area School District and Tunkhannock Area School District Board of School Directors are **DISMISSED** from this case.
4. Plaintiff's breach of contract claim (Count IV) against the individual Defendants is **DISMISSED WITH PREJUDICE**.
5. Plaintiff's remaining claims (Counts I, II, III, and V) against the individual Defendants are **DISMISSED WITHOUT PREJUDICE**.

6. Plaintiff shall file an amended complaint in accordance with this order and the accompanying memorandum within twenty-one days of the date of this order.
7. If Plaintiff fails to file an amended complaint by the above date, the Clerk of Court is directed to close this case.

s/Jennifer P. Wilson

JENNIFER P. WILSON

United States District Court Judge  
Middle District of Pennsylvania